

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No.: 5:18-cv-383-FL

UBISOFT ENTERTAINMENT, S.A. and)
UBISOFT, INC.,)
Plaintiffs,)
v.) DEFENDANT'S MOTION TO DISMISS
YOUSICIAN OY,)
Defendant.)

Defendant Yousician OY ("Defendant" or "Yousician") respectfully moves to dismiss the Complaint of Plaintiffs Ubisoft Entertainment, S.A. and Ubisoft, Inc. (collectively "Plaintiffs") pursuant to 35 U.S.C. § 101 and Federal Rule of Civil Procedure 12(b)(6) because the claims of the asserted patent are directed to the abstract idea of teaching guitar by evaluating a user's performance and generating appropriate exercises to improve that performance. The claims do not include any additional limitations to transform this unpatentable abstract idea into a patent-eligible invention. In further support of this Motion, Defendant Yousician OY refers to and incorporates herein its Memorandum of Law in Support of Defendant's Motion to Dismiss, which is being filed contemporaneously herewith.

WHEREFORE, for all of the above reasons and those set forth in the Memorandum of Law in Support of Defendant's Motion to Dismiss, Defendant Yousician OY respectfully requests that the Court dismiss Plaintiffs' Complaint.

Respectfully submitted this the 29th day of November, 2018.

/s/ Christopher M. Thomas

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CERTIFICATE OF SERVICE

I certify that on this day the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will automatically send notice to all parties addressed as follows:

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This the 29th day of November, 2018.

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